

SECOND/THIRD READINGS SUMMARY SHEET

CASE: C14-2020-0075 – Woodland on IH35

DISTRICT: 9

ADDRESS: 1829 S IH 35 SVRD NB

SITE AREA: 1.07 acres

PROPERTY OWNER:

Woodland on IH35 Properties LLC
(Gopal Guthikonda)

AGENT:

Thrower Design (Ron Thrower and
Victoria Haase)

CASE MANAGER: Kate Clark (512-974-1237, kate.clark@austintexas.gov)

REQUEST:

Approve second and third reading an ordinance amending City Code Title 25 by rezoning a property locally known as 1829 S IH 35 SVRD NB (Harper's Branch Creek Watershed). Applicant Request: To rezone from community commercial-neighborhood plan (GR-NP) combining district zoning to multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning, as amended.

The CO is for a 25-foot vegetive buffer along the eastern property boundary.

PREVIOUS CITY COUNCIL ACTION:

August 26, 2021

Approved staff's recommendation of MF-6-CO-NP for First Reading only on the consent agenda. Vote: 11-0.

ISSUES:

No issues at this time.

ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0075 – Woodland on IH35

DISTRICT: 9

ZONING FROM: GR-NP

TO: MF-6-CO-NP, as amended

ADDRESS: 1829 S IH 35 SVRD NB

SITE AREA: 1.07 acres

PROPERTY OWNER:

Woodland on IH35 Properties LLC
(Gopal Guthikonda)

AGENT:

Thrower Design (Ron Thrower and
Victoria Haase)

CASE MANAGER: Kate Clark (512-974-1237, kate.clark@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. The CO would be for a 25-foot vegetative buffer along the eastern property boundary. For a summary of the basis of staff's recommendation, see page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

August 10, 2021 To forward to City Council without a recommendation.

October 13, 2020 Approved applicant's request for indefinite postponement. Vote: 12-0.
[Commissioner Thompson - 1st, Commissioner Azhar - 2nd, District 2
Vacant Seat].

CITY COUNCIL ACTION:

September 30, 2021 Scheduled for City Council.

August 26, 2021 Approved staff's recommendation of MF-6-CO-NP for First Reading
only on the consent agenda. Vote: 11-0.

ORDINANCE NUMBER:

ISSUES

Staff has received comments in opposition and in favor of this rezoning request. For all written or emailed comments, please see *Exhibit C: Correspondence Received*.

A petition in opposition to this rezoning request has been filed. Please see *Exhibit D: Formal Petition* for a current map of the petition area, corresponding property owners and their signatures. The current percentage for this petition is 18.86%.

After discussing the rezoning case with neighbors in the area, the applicant amended their rezoning request to MF-6-CO-NP on June 23, 2021. The applicant's amended request is included in *Exhibit E: Amended Rezoning Request*. Staff supports the applicant's amended request to add a conditional overlay for a 25-foot vegetative buffer along the eastern boundary of their property.

CASE MANAGER COMMENTS:

This property is approximately 1.07 acres in size and is mostly undeveloped. It is only accessible from the northbound service road of IH35. Current zoning adjacent to the property include: CS-NP to the north, SF-3 to the east and LO-NP to the south. Adjacent to the west is IH35 right-of-way and is not zoned.

Per the applicant's amended rezoning request, they are requesting MF-6-CO-NP to build a multifamily development with up to 100 units. The future land use map (FLUM) designates this property as commercial and therefore requires a neighborhood plan amendment (NPA) to be considered with the rezoning request. Please refer to NPA case number NPA-2020-0021.01.

BASIS OF RECOMMENDATION:

1. *Intensive multi-family zoning should be located on major arterials and highways.*

The MF-6 base zoning district is the highest intensity multifamily zoning district. This property is only accessible from the frontage road of IH35 which is classified as a Level 4 street within the Austin Strategic Mobility Plan. Rezoning this property to MF-6-CO-NP would allow for the potential of new residential units along a major transit corridor.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	GR-NP	Undeveloped and parking for building north of site.
North	CS-NP	Administrative and Business Offices
South	LO-NP	Administrative and Business Offices
East	SF-3-NP	Single-family residential
West	IH35 right-of-way	Transportation (highway)

NEIGHBORHOOD PLANNING AREA: East Riverside/Oltorf Combined (Riverside) NP Area

TIA: The TIA should be deferred to the site plan application when land uses, and intensities will be finalized.

WATERSHED: Harper's Branch Creek Watershed (urban)

OVERLAYS: Residential Design Standards

SCHOOLS: Linder Elementary, Lively Middle and Travis High Schools.

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District	Neighborhood Empowerment Foundation
Austin Lost and Found Pets	Pleasant Valley
Austin Neighborhoods Council	Preservation Austin
Bike Austin	SELTexas
Crossing Gardenhome Owners Assn. (The)	Sierra Club, Austin Regional Group
Del Valle Community Coalition	South Central Coalition
East Riverside/Oltorf Neighborhood Plan	South River City Citizens Assn.
Friends of Austin Neighborhoods	Southeast Austin Neighborhood Alliance
Friends of Riverside ATX Neighborhood	Zoning Committee of South River City
Greater South River City Combined	Citizens
Homeless Neighborhood Association	

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2017-0016.SH Aria Grand 1800 S IH35 SVRD SB	GR-MU-CO-NP to MF-6-CO-NP	To grant MF-6-CO-NP; CO was to restrict height to 68 feet, impervious cover to 65% and to maintain some of the existing COs from the existing ordinance.	To approve MF-6-CO-NP as Commission recommended. (5/18/17)
C14-2012-0100 Woodland Commercial Park 1640 S IH35 SVRD SB	GR-CO-NP to CS-CO-NP	To grant CS-CO-NP; CO was to prohibit a set of land uses, vehicular access, provide a vegetative buffer, certain materials were prohibited onsite and set hours of operation.	To approve CS-CO-NP as Commission recommended. (8/8/13)

RELATED CASES:

NPA-2020-0021.01: this is the associated NPA case being reviewed in conjunction with the rezoning request.

SP-2020-0068C: see Site Plan review comment (SP 2) below.

C14-05-0112: This was the East Riverside Neighborhood Plan Rezoning case (Ordinance No. 20061116-057). The base zoning district of this property was not changed during this process.

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
S IH 35 SVRD NB	~402'	Defer to TxDOT	30'	4	Yes	Yes

OTHER STAFF COMMENTS:Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Harper's Branch Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 square feet cumulative is exceeded, and on site control for the two-year storm.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Site Plan

SP 1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP 2. There is a site plan currently under review for this property (SP-2020-0068C) which provides for a mixed use office/retail/restaurant building, along with associated parking and drainage facilities. The use proposed under this site plan would not be permitted in MF-6-CO-NP zoning.

SP 3. The site is subject to compatibility standards. Along the east property line, the following standards apply:

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

SP 4. Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, recommends that right-of-way needs be deferred to TxDOT. A traffic impact analysis should also be deferred to the site plan application when land uses, and intensities will be finalized.

Austin Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

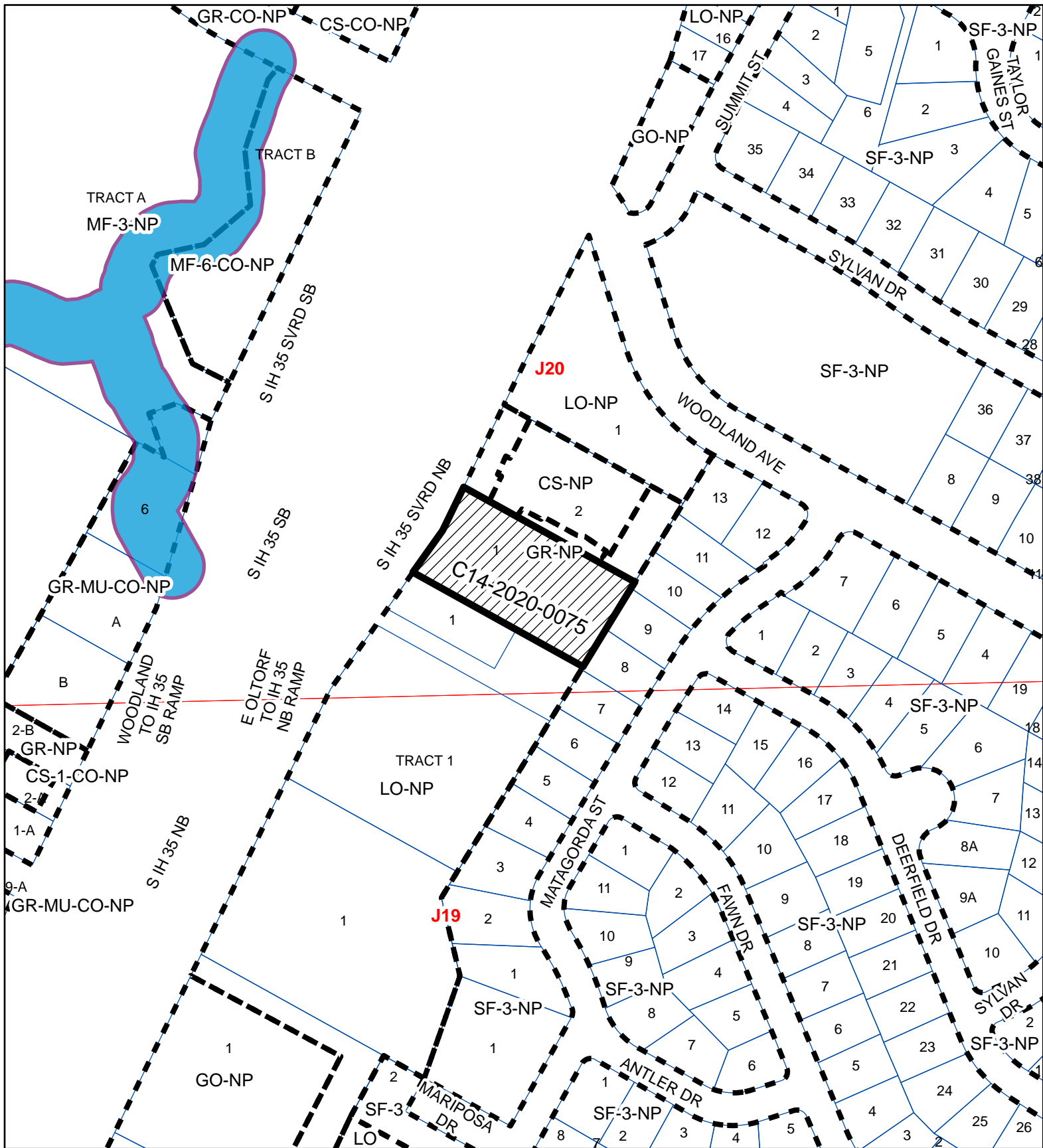
Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Correspondence Received

Exhibit D: Formal Petition

Exhibit E: Amended Rezoning Request







Woodland on IH35

Exhibit A

ZONING CASE#: C14-2020-0075
 LOCATION: 1829 S IH 35 SR NB
 SUBJECT AREA: 1.068 ACRES
 GRID: J20
 MANAGER: KATE CLARK



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

1" = 200'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

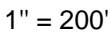
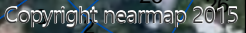


Exhibit B

LOCATION: 1829 S IH 35 SR NB
SUBJECT AREA: 1.068 ACRES
GRID: J20
MANAGER: KATE CLARK



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Clark, Kate

From: Meredith, Maureen
Sent: Tuesday, September 15, 2020 3:54 PM
To: Lawrence Sunderland
Cc: Clark, Kate
Subject: RE: 1829 S. IH-35 SVRD NB

Thank you for your input. Staff will add your email to our case reports as the cases move forward to Planning Commission and City Council.
Maureen

From: Lawrence Sunderland
Sent: Tuesday, September 15, 2020 3:17 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: 1829 S. IH-35 SVRD NB

*** External Email - Exercise Caution ***

Plan Amendment Case #: NPA-2020-0021.01 Zoning Case #: C14-2020-0075
Property address: 1829 S. IH-35 SVRD NB

I approve of this amendment.

It conforms to the desires of the participants of the EROC Neighborhood Plan Adopted on 11/16/2006

Page 151: the majority of those questioned said new apartments, townhouses, and/or condominiums would be acceptable along major corridors.

Larry

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Clark, Kate

From: David Todd
Sent: Tuesday, October 6, 2020 9:09 AM
To: Clark, Kate
Cc: Meredith, Maureen
Subject: Re: C14-2020-0075

Thanks for your response.

In the future, I hope that the description of the proposed zoning change highlights the practical implications of the change, particularly the height change. I imagine that most people who got the mail-out were not aware of that. I was not.

While I heartily support more high-density development along our heavy-traffic roads, such as IH-35, I think that they should not exceed 60' when they adjoin single-family dwellings.

David

Clark, Kate

From: Malcolm Yeatts
Sent: Tuesday, October 6, 2020 5:51 PM
To: Clark, Kate
Subject: NPA-2020-0021.01

*** External Email - Exercise Caution ***

The EROC Contact Team has voted on the EROC Plan Amendment NPA-2020-0021.01. The Contact Team overwhelmingly voted to oppose this Plan Amendment. The EROC Contact Team has supported a number of affordable projects, but the Team cannot support this project because it sets a precedent for removing compatibility and set-back requirements with single family neighborhoods. The number one goal of the EROC Plan is: "Preserve and enhance the character of existing residential neighborhoods". (Page 10 of the EROC Plan) The EROC Contact Team considers the potential of this project to reduce the residential character of the neighborhood not worth the price of adding some units at 80% MFI.

Roy Scruggs forwarded your email notifying him that the applicant has requested an indefinite postponement. Did the applicant give any reason for asking for the indefinite postponement?

Thank you,
Malcolm Yeatts Chair, EROC Contact Team

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Clark, Kate

From: David Todd
Sent: Tuesday, August 3, 2021 9:26 AM
To: Meredith, Maureen; Clark, Kate
Subject: Case NPA-2020-0021.01

*** External Email - Exercise Caution ***

I support the proposed change of zoning from commercial to multi-family for Case C14-2020-0075, 1829 S IH 35 SVRD NB.

Similarly, I support the proposed amendment of the neighborhood plan for the same property, as Case NPA-2020-0021.01.

David Todd

--

David Todd
1304 Mariposa Drive, #211
Austin, Texas 78704
512-416-0400

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Clark, Kate

From: Christina Simon
Sent: Tuesday, August 3, 2021 12:35 PM
To: Clark, Kate
Subject: C14-2020-0075- please NO!

*** External Email - Exercise Caution ***

Dear Kate Clark,

As a resident of the neighborhood I object to case C14-2020-0075, changing the zoning from GR-NP Commercial to MF-6-CO-NP Multifamily at 1829 S IH35 Served NB, which is scheduled to be heard on August, 10 2021 by the Planning Commission.

Please keep me updated. I will be out of town for the hearing.

Christina Simon, Mark Ashby Design
Senior Designer & Director of Business Development
1605 West Avenue, Austin, TX 78701
512.524.1220
www.markashbydesign.com

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Clark, Kate

From: Clay Grier
Sent: Thursday, August 5, 2021 9:51 PM
To: Clark, Kate
Subject: Re: Speaker Registration for Woodland on IH35 (C14-2020-0075)

*** External Email - Exercise Caution ***

Great!

Planning Commission
Public Hearing August 10, 2021
Case # C14-2020-0075
Contact: Kate Clark

Height: Thrasher has admitted that limiting the height of the unit to under 90 feet isn't an option because of the required parking and the maximization of square footage for profit.

I can only assume that not a single member in this hearing has a 90 foot building in their back yard. I can guarantee that not a single resident of the neighborhood wants a 90 foot building looking down on their back yards.

The proposed east-facing facade only protects the 4 homes directly behind the unit. There are at least 15 properties that will have their privacy violated to the south, southeast, and northeast due to windows and balconies.

It's my understanding that a TIA may not be needed but a neighborhood traffic analysis will potentially be required. This development will most certainly exceed 300 vehicle trips per day and will create a nightmare on the service road.

I'm not sure why this development is constantly being referred to as low income housing by Thrasher. There is plenty of low income housing available on Parker. It's not needed in our neighborhood nor is there access to nearby public transportation.

In addition, there are currently several single family houses and empty lots in the neighborhood available for sale, some of which have been on the market for quite some time.

The neighborhood is eroding rapidly and disrupting the shelter belt behind the houses on the west side of Matagorda St will only exacerbate the erosion.

In regards to the proposed potted trees: growing trees in pots severely restricts the height they can grow. In addition, potted trees live at most 8-10 years. This is not a permanent solution to privacy, noise pollution, and erosion.

I look forward to hearing the land owner's comments but as homeowner directly impacted by this development I object to the zoning changes.

If the city wants the tax revenue please develop the lot as it is zoned, a commercial space that serves our community.

Thank you,

Clay Grier
1701 Fawn Dr.

Austin, TX 78741

C L A Y G R I E R 214-709-7390

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Clark, Kate

From: Malcolm Yeatts
Sent: Friday, August 6, 2021 12:09 PM
To: Meredith, Maureen; Clark, Kate
Cc: 'Toni'
Subject: NPA-2020-0021.01
Attachments: 21-0429 - Presentation for NPCT.pdf

*** External Email - Exercise Caution ***

The EROC Contact Team has voted to support the revised proposal for NPA-2020-0021.01. The revised proposal from the developer, as presented to the EROC Contact Team on April 29, is attached. The developer will agree to a Conditional Overlay limiting the height to 60 feet. The developer will request a variance from the city to build an 8-foot solid fence between the development and the residential properties. The developer will maintain a vegetative buffer on the back of the property. There will be a maximum of 100 units. The structure will have a stepped height as shown in the presentation on slide 6. The EROC Contact Team expects the current owner to develop the property, and not to sell the property once the increased entitlements have been approved.

One question that remains is: how many of the items in the revised developer proposal can be included in the Conditional Overlay?

Malcolm Yeatts Chair, EROC Contact Team

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1829 S IH-35



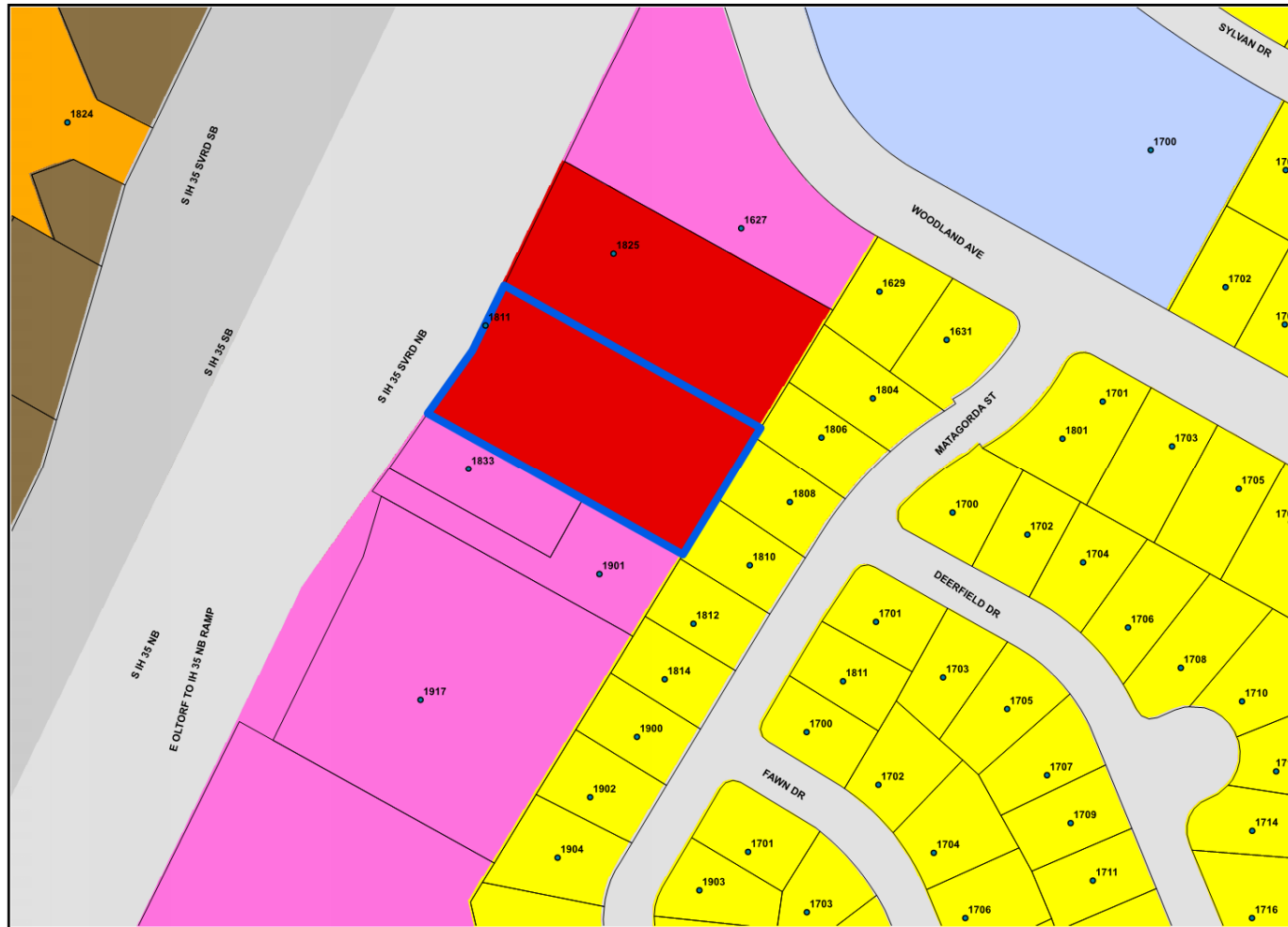
1.07 acres -
undeveloped

Woodland on IH35 – NPA-2020-0021.01 & C14-2020-0075

Neighborhood Meeting – April 29, 2021

Thrower Design
LAND PLANNERS

FLUM – Commercial to Multifamily



- Address Points
- ▬ Subject Tract - 1829 S IH35
- Commerce
- Activity Center
- Agriculture
- Civic
- Commercial
- Environmental Conservation
- High Density Mixed Use
- Higher-Density Single-Family
- Industry
- Major Impact Facilities
- Major Planned Development
- Mixed Residential
- Mixed Use
- Mixed Use/Office
- Mixed-use Activity Hub/Corridor
- Mobile Homes
- Multifamily
- Neighborhood Commercial
- Neighborhood Mixed Use
- Neighborhood Node
- Neighborhood Transition
- Office
- Recreation & Open Space
- Residential Core
- Rural Residential
- Single-Family
- Special District
- Specific Regulating District
- Transportation
- Utilities
- Warehouse/Limited Office
- Water

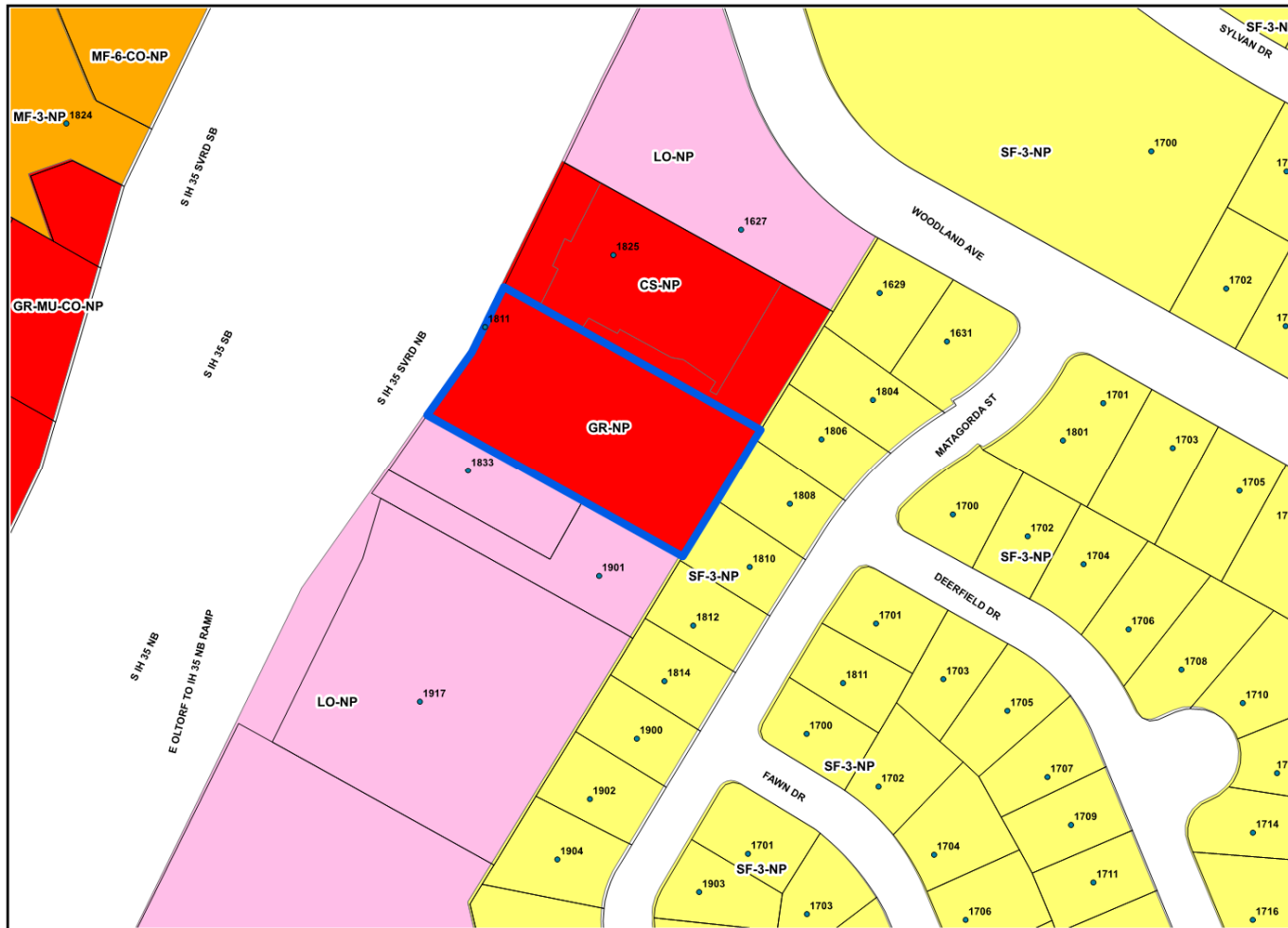
Woodland on IH35 – NPA-2020-0021.01 & C14-2020-0075

Neighborhood Meeting – April 29, 2021

Thrower Design

LAND PLANNERS

Zoning- GR to MF-6



- Address Points
- Subject Tract - 1829 S IH35
- Agricultural
- Commercial
- Development Reserve
- Public
- Mobile Home
- Single Family
- Higher Density Single Family
- Multi-Family
- Limited Commercial
- Office
- Planned Unit Development

Woodland on IH35 – NPA-2020-0021.01 & C14-2020-0075

Neighborhood Meeting – April 29, 2021

Thrower Design

LAND PLANNERS

Proposed Project – Multi-family Apartment Units

Previous Proposal

- Affordability Unlocked project
- 90 ft height
- 100+ dwelling units (50% Affordable)
- Access from IH-35 service road only
- Vegetative buffer maintained
- No balconies or windows on eastern façade of building – only transom windows.

Current Proposal

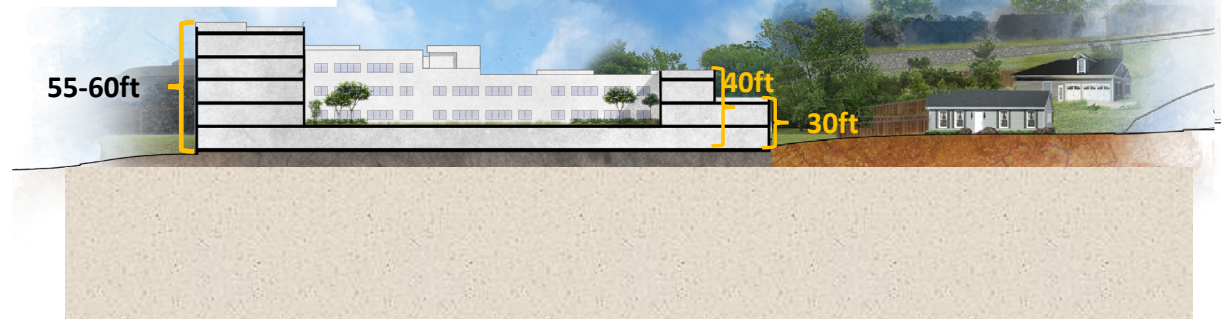
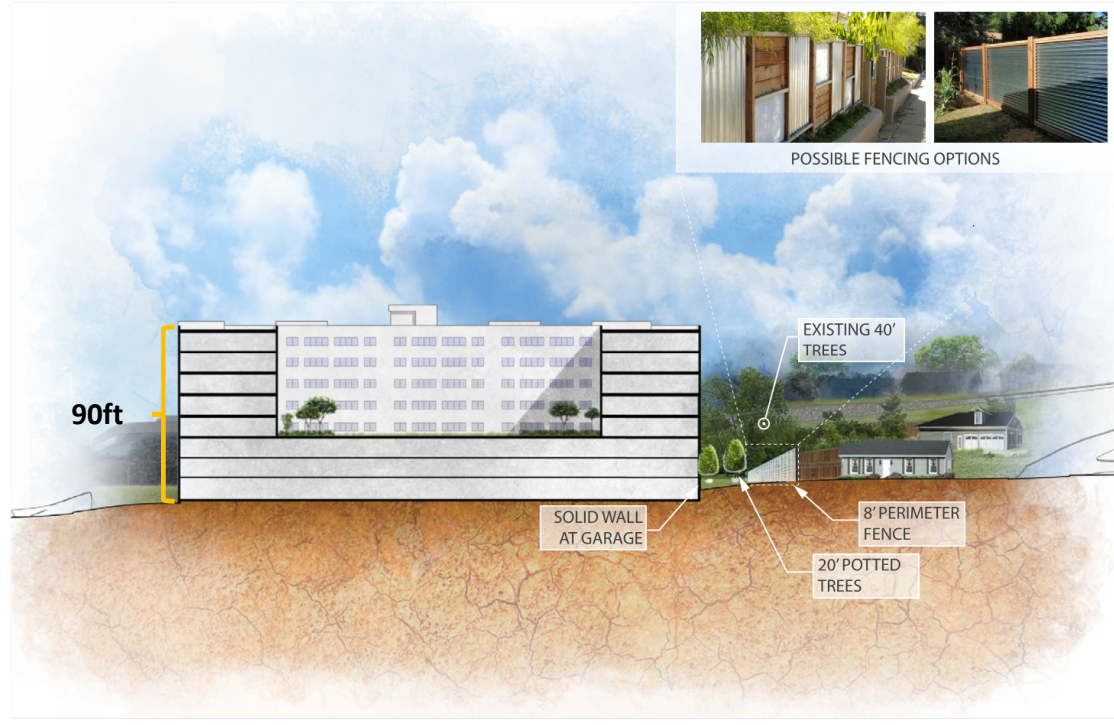
- No Affordability Unlocked
- 55-60 ft height – abiding by compatibility
- Max of 100 dwelling units
- Access from IH-35 service road only
- Vegetative buffer maintained
- No balconies or windows on eastern façade of building – only transom windows.



Woodland on IH35 – NPA-2020-0021.01 & C14-2020-0075

Neighborhood Meeting – April 29, 2021

Thrower Design
LAND PLANNERS



Woodland on IH35 – NPA-2020-0021.01 & C14-2020-0075

Neighborhood Meeting – April 29, 2021

Thrower Design

LAND PLANNERS



Woodland on IH35 – NPA-2020-0021.01 & C14-2020-0075

Neighborhood Meeting – April 29, 2021

Thrower Design
LAND PLANNERS

Contact Us

Thrower Design
512-476-4456

Ron Thrower



Victoria Haase



Clark, Kate

From: Meredith, Maureen
Sent: Monday, August 9, 2021 1:14 PM
To: Rivera, Andrew; Clark, Kate
Cc: [REDACTED]
Subject: RE: 1829 IH-35 - NPA-2020-0021.01

Andrew and Kate:

Please see David Todd's revised comments below regarding 1829 IH-35. Please post as late back-up for August 10 PC hearing.

Maureen

-----Original Message-----

From: [REDACTED]
Sent: Monday, August 09, 2021 12:57 PM
To: Meredith, Maureen
Subject: 1829 IH-35 - NPA-2020-0021.01

*** External Email - Exercise Caution ***

Dear Maureen,

Thanks for the phone visit earlier today.

As we discussed, I wanted to clarify my support for rezoning and neighborhood plan amendment proposed for 1829 IH-35.

While I confirm my support for greater density along high-traffic corridors, such as IH-35, I think it very important that existing height limits be complied with, in consideration of the adjacent low-density residential neighborhood. I feel it is essential that the 1829 IH-35 maintain a 60' height limitation, not 90'.

Thanks for your help in adding this to the record.

David Todd
1304 Mariposa Drive, #211
Austin, Texas 78704-4404

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Clark, Kate

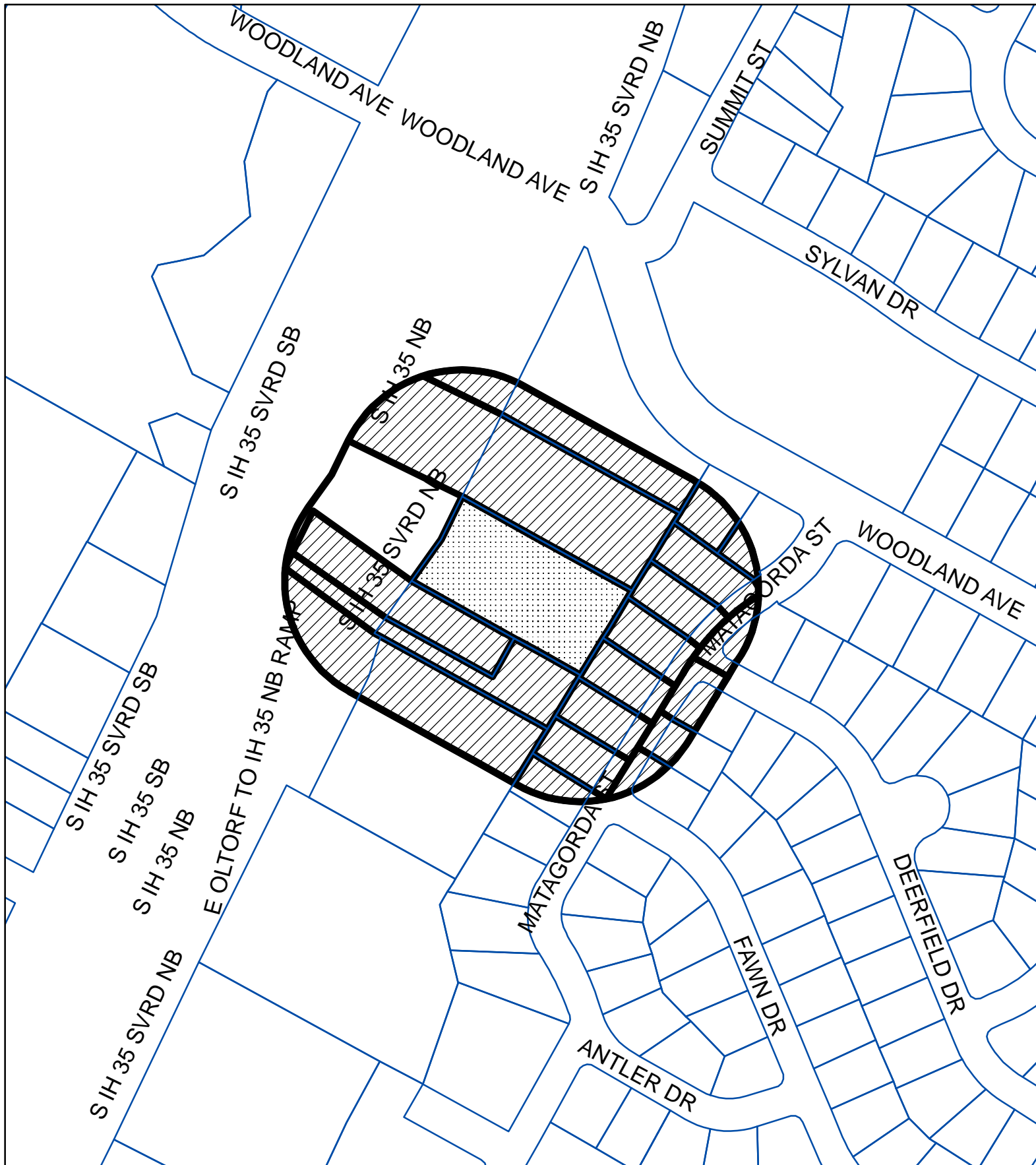
From: Roy Scruggs
Sent: Monday, August 9, 2021 11:34 PM
To: Victoria
Cc: Clark, Kate
Subject: Zoning application for 1829 S IH 35 to MF-6

*** External Email - Exercise Caution ***

As a result of negotiations between the neighbors and the current owner of 1829 S IH 35 the Scruggs family that reside at 1811 Matagorda St no longer oppose the zoning request of MF-6 for the property 1829 S IH 35. We thank you and Thrower Design for serving as intermediary between the neighbors and the owners. I feel the current owner negotiated in good faith to address the concerns we as owners had about the project. The owners have agreed to a building not to exceed 60 feet, a more intense 25 foot vegetative buffer zone and /or fence on the eastern side of the property. The property also presented an anticipated building that would start at 2 stories on the eastern side of the property and then stair step to a maximum height of 60 feet. A formal withdrawal notice from the Valid Petition will be sent to Kate Clark. Thank you.

Sent from my iPad

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BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

Exhibit D

Case#: C14-2020-0075



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 200'

Case Number:

PETITION**C14-2020-0075**

Date: 8/11/2021

Total Square Footage of Buffer: 310436.3589

Percentage of Square Footage Owned by Petitioners Within Buffer: 18.86%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0304040427	1700 FAWN DR AUSTIN	BROOKS DAVID B & ASHLEY M	yes	3359.94	1.08%
0304040802	1629 WOODLAND AVE AUSTIN	BROWN ANDREW HARRIS	yes	5985.37	1.93%
0304040818	1825 S INTERSTATE HY 35 78704	CENTRAL SOUTH CARPENTERS	no	71218.90	0.00%
0304040808	1812 MATAGORDA ST AUSTIN 78741	DIXON F KEMP & LEA ANN	no	9518.52	0.00%
0304040806	1808 MATAGORDA ST 78741	GONZALEZ SALVADOR &	yes	10278.65	3.31%
0304040805	1806 MATAGORDA ST AUSTIN 78741	HARDY VESSIE E	yes	9866.52	3.18%
0304040810	1900 MATAGORDA ST AUSTIN 78741	HAYES ROLAND C	yes	5157.88	1.66%
0304040125	1700 DEERFIELD DR 78741	KILAEN LAURA SKYE &	no	5810.48	0.00%
0304040403	1701 DEERFIELD DR 78741	KYLE LINDA J	no	6338.31	0.00%
0304040807	1810 MATAGORDA ST AUSTIN 78741	RITTEREISER SUSAN B	yes	9749.82	3.14%
0304040809	1814 MATAGORDA ST AUSTIN 78741	SALDANA LOUIS	no	9591.62	0.00%
0304040428	1811 MATAGORDA ST AUSTIN 78741	SCRUGGS RACHEL ANNA LIFE ESTATE	no	4122.34	0.00%
0304040822	1925 S INTERSTATE HY 35 78741	STATE OF TEXAS	no	43944.99	0.00%
0304040824	1833 S INTERSTATE HY 35 78741	TEXAS ASSN OF SCHOOL PRINCIPAL	no	26491.33	0.00%
0304040823	1901 S INTERSTATE HY 35 78741	TEXAS ASSN OF SCHOOL PRINCIPAL	no	22573.45	0.00%
0304040804	1804 MATAGORDA ST 78741	THEIS JOSEPH	yes	11345.05	3.65%
0304040819	1713 S INTERSTATE HY 35 78704	UNITED STATES OF AMERICA	no	23484.31	0.00%
0304040803	1631 WOODLAND AVE 78741	WESTBROOK PILAR & JOHN MELODY	yes	2811.27	0.91%
Total				281648.77	18.86%

Kate Clark
Senior Planner
City of Austin/Housing and Planning Department
P.O. Box 1088
Austin, Texas 78767

Please let this Letter serve as my formal request to withdraw my name from the Valid Petition in regards to the rezoning case number C14-2020-0075. I no longer oppose the current owner's request for a revised zoning change to MF-6. This decision was made as the current owners have agreed to include, in the revised request, a twenty-five foot vegetative buffer zone and /or a fence along the eastern property line with the eastern portion of the building next to the buffer zone no greater than two stories and the western portion no more than five stories.

Sincerely,

Rachel Anna Scruggs

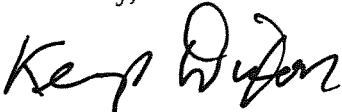
Rachel Anna Scruggs
1811 Matagorda St.
Austin, Texas 78741

June 30, 2021

To Whom It May Concern,

We have been in communication with Thrower Design regarding case C14-2020-0075 in which we opposed the zoning request for a nine story multifamily residential development on IH 35 behind Matagorda St. We do not oppose the landowner/developer's revised zoning request for a multifamily residential development at the same location that will include a twenty-five foot vegetative buffer zone along the eastern property line with the eastern portion of the building next to the buffer zone no greater than two stories and the western portion no more than five stories.

Sincerely,

A handwritten signature in black ink that reads "Kemp Dixon". The signature is written in a cursive, slightly slanted style.

Kemp Dixon
1812 Matagorda St.
Austin, Texas 78741

A handwritten signature in black ink that reads "Lea Ann Dixon". The signature is written in a cursive, slightly slanted style.

Lea Ann Dixon
1812 Matagorda St.
Austin, Texas 18741

July 1, 2021

To Whom it may concern,

I have been in communication with Thrower Design regarding case C14-2020-0075 for a multifamily residential development. It is my understanding that the landowner/developer is no longer seeking a development with 9 stories through the City's Affordability Unlocked program. Instead, they are requesting zoning for a multifamily residential development that will comply to compatibility standards and therefore will not be greater than 5 stories. They have agreed to our request for a vegetative buffer along the eastern property line and have amended their request with the City to include a conditional overlay for a 25ft vegetative buffer in order screen the new development from the existing single-family homes. With this, I am no longer opposed to the rezoning request and wish to withdraw my name from the petition against the rezoning. I am in support of the project as proposed.

Thank you,

A handwritten signature in black ink, appearing to read 'Louis Saldana', with a long horizontal flourish extending to the right.

Louis Saldana
1814 Matagorda Street

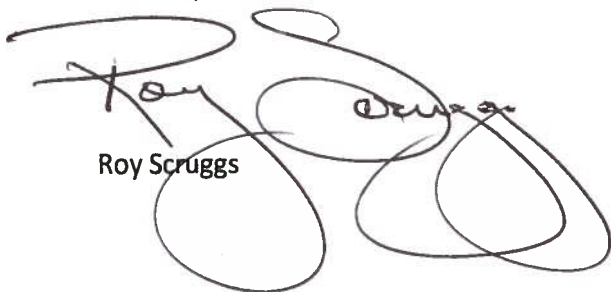
Kate Clark
City of Austin-Housing and Planning Department
P.O. Box 1088
Austin, Texas 78767

Re: Neighborhood Plan Amendment Application number NPA-2020-0021.01
Zoning Application number C14-2020-0075

Dear Kate

Enclosed please find the petition and original signatures of the affected property owners against the proposed zoning of MF-6 for the Applicant's property located at 1829 S IH 35. Thank you.

Sincerely,


Roy Scruggs

Kate
Could you send me
an email that
you received this
petition. Thanks


PETITION AGAINST REZONING

October 8, 2020

Zoning Case Number C14-2020-0075

To: Austin City Council

We the undersigned owners of the properties affected by the requested zoning change described in the referenced file, do hereby protest any change of the Land Development Code which would zone the property to any classification other than General Retail-Neighborhood Plan or GR-NP. The reasons for our opposition to the rezoning include, but are not limited to, the following reasons:

1. Our principal objection to the MF-6 proposed zoning change and to the neighborhood plan amendment is the Ninety (90) foot height allowed.
 - a. A ninety (90) foot building adjacent to single family homes is not an appropriate transition to the residential neighborhood. The building would tower over our single family residential neighborhood, take away privacy, solar access and arguably affect the value of some of the homes directly behind and adjacent to the proposed project. See attached (Attachment 1) rendering provided by applicant viewed from an affected owner at 1806 Matagorda Street. It demonstrates how intrusive an eight (8) story building would be to our neighborhood.
 - b. Allowing a ninety (90) foot building on this site would be a precedent setting decision. There are *only* six (6) buildings which reach the height of eight (8) stories or above on both sides of northbound and southbound IH 35. *None* of the six (6) buildings are adjacent to a single family residential neighborhood. See attached (Attachment 2) survey of all buildings on both sides of the northbound and Southbound IH 35 frontage from Onion Creek Parkway to Braker Lane that are eight (8) stories or above. The survey does not include the buildings in the Central Business District (CBD) or its adjacent special districts. The proposed project is in conflict with the City's zoning principle: Granting the zoning should not in any way set an undesirable precedent for other properties in the neighborhood or within other areas of the city. See attached (Attachment 3) which is the location of 1829 S IH 35 in relation to the surrounding buildings and our single family residential neighborhood.
 - c. A ninety (90) foot building would also be noticeably out of scale by twofold and fail to blend with the surrounding buildings. The mass majority of buildings in close proximity to 1829 S IH 35 consist of one (1) to four (4) story buildings. See attached (Attachment 4) addresses and building heights of the surrounding buildings.

- d. It would violate single family compatibility standards
 - e. A ninety (90) foot height allowed by the proposed MF-6 zoning being adjacent to a single family residence conflicts with the City's own Zoning Principles and the EROC Plan. Zoning changes should promote compatibility with adjacent and nearby uses, ensure adequate transition between commercial properties and adjacent residential neighborhoods and should not result in detrimental impacts to the neighborhood character.
2. The proposed project conflicts with both the EROC Neighborhood Plan and Future Land Use Map and with the tenets of the GSRCC Neighborhood Plan. (The property is located within the EROC NP Area, and falls within the SRCC Neighborhood Association territory.)
 3. The applicant has submitted a site plan to the city of Austin for a four (4) story office building that includes 60,000 square feet of office space, 2,501 sf of restaurant space and 3,600 sf of retail and complies to the existing GR-NP zoning. This is the most appropriate use of the property, would well serve all parties, and would not require rezoning or a neighborhood plan amendment. See the attached (Attachment 5) rendering of the same view referenced in paragraph 1 a. above from an affected neighbor at 1806 Matagorda Street with a compliant four (4) story building in place of the proposed ninety (90) foot building.
 4. In concert with the EROC NCPT and the SRCC NA, we support affordable housing in our area. In 2017 the neighborhood groups supported a project by the name of Aria Grand, a project of Affordable Housing located in close proximity to the 1829 S IH 35. It is located at 1800 S IH 35. Aria Grand is a 16 million dollar project with 70 units on 1.420 acres. This project's Affordability breakdown is 87% of the units are affordable at 30%, 50% and 60% of area median income. This project was awarded a MF-6 designation, but it is important to point out that the zoning came with a Conditional Overlay (CO) restricting the height to 68 feet (the additional eight (8) feet was due to the property elevation being below the current road grade) and the project is not adjacent to a single family residential neighborhood. Affordable Housing is welcome in our neighborhood with appropriate zoning that works for all involved parties.
 5. The EROC Contact Team has voted to oppose the NPA-2020-0021.01 Neighborhood Plan Amendment.



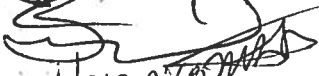



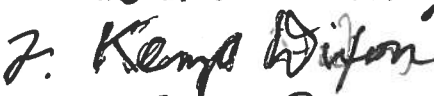


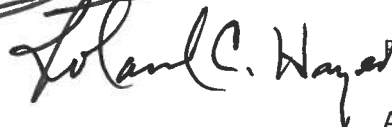


Contact Name: Roy Scruggs


1811 Matagorda Street

Austin Texas 78741

512 720 1908


PETITION SIGNATURES
PLEASE USE BLACK INK WHEN SIGNING

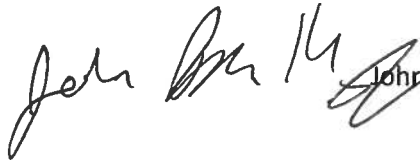
SIGNATURE	NAME	ADDRESS
	Joseph Theis	1804 Matagorda Street
	Vessie E Hardy	1806 Matagorda Street
	Salvador Gonzales	1808 Matagorda Street
	Veronica Martinez	1808 Matagorda Street
	Susan B Ritter	1810 Matagorda Street
	Rachel Anna Scruggs	1811 Matagorda street
	Kemp F Dixon	1812 Matagorda Street
	Lea Ann Dixon	1812 Matagorda Street
	Louis Saldana	1814 Matagorda Street
	Roland Hayes	1900 Matagorda Street
	Amanda Weeks	1902 Matagorda Street
	David B Brooks	1700 Fawn Drive
	Ashley M Brooks	1700 Fawn Drive
	Jerry W Mylius	1702 Fawn Drive
	Laura Skye Kilean	1700 Deerfield Drive
	Loren Cody Koeninger	1700 Deerfield Drive
	Linda J Kyle	1701 Deerfield Drive
	Mindy Louise Cooper	1702 Deerfield Drive
	Andrew Harris Brown	1629 Woodland Ave
	Pilar Westbrook	1631 Woodland Ave
	John Melody	1631 Woodland Ave
	Texas High School Coaches Assn.	1627 Woodland Ave

PETITION SIGNATURES
PLEASE USE BLACK INK WHEN SIGNING

SIGNATURE	NAME	ADDRESS	MAILING ADDRESS
	Joseph Theis	1804 Matagorda Street	10816 Mickelson Austin, Tx 78747
	Vessie E Hardy	1806 Matagorda Street	
	Salvador Gonzales	1808 Matagorda Street	
	Veronica Martinez	1808 Matagorda Street	
	Susan B Ritter	1810 Matagorda Street	
	Rachel Anna Scruggs	1811 Matagorda street	
	Kemp F Dixon	1812 Matagorda Street	
	Lea Ann Dixon	1812 Matagorda Street	
	Louis Saldana	1814 Matagorda Street	
	Roland Hayes	1900 Matagorda Street	
	Amanda Weeks	1902 Matagorda Street	8201 Valleydale Cv Austin, Tx 78757
	David B Brooks	1700 Fawn Drive	
	Ashley M Brooks	1700 Fawn Drive	
	Jerry W Mylius	1702 Fawn Drive	
	Laura Skye Kilean	1700 Deerfield Drive	
	Loren Cody Koeninger	1700 Deerfield Drive	
	Linda J Kyle	1701 Deerfield Drive	90 Driftwood Ct Woodlands, Tx 77381
	Mindy Louise Cooper	1702 Deerfield Drive	
	Andrew Harris Brown	1629 Woodland Ave	
	Pilar Westbrook	1631 Woodland Ave	2603 Peninsulas Dr

PETITION SIGNATURES
PLEASE USE BLACK INK WHEN SIGNING

SIGNATURE	NAME	ADDRESS	MAILING ADDRESS
	Joseph Theis	1804 Matagorda Street	10816 Mickelson Austin, Tx 78747
	Vessie E Hardy	1806 Matagorda Street	
	Salvador Gonzales	1808 Matagorda Street	
	Veronica Martinez	1808 Matagorda Street	
	Susan B Ritter	1810 Matagorda Street	
	Rachel Anna Scruggs	1811 Matagorda street	
	Kemp F Dixon	1812 Matagorda Street	
	Lea Ann Dixon	1812 Matagorda Street	
	Louis Saldana	1814 Matagorda Street	
	Roland Hayes	1900 Matagorda Street	
	Amanda Weeks	1902 Matagorda Street	8201 Valleydale Cv Austin, Tx 78757
	David B Brooks	1700 Fawn Drive	
	Ashley M Brooks	1700 Fawn Drive	
	Jerry W Mylius	1702 Fawn Drive	
	Laura Skye Kilean	1700 Deerfield Drive	
	Loren Cody Koeninger	1700 Deerfield Drive	
	Linda J Kyle	1701 Deerfield Drive	90 Driftwood Ct Woodlands, Tx 77381
	Mindy Louise Cooper	1702 Deerfield Drive	
	Andrew Harris Brown	1629 Woodland Ave	
	Pilar Westbrook	1631 Woodland Ave	2603 Peninsulas Dr



John Melody

1631 Woodland Ave

Missouri City, Tx
77459-4345

2603 Peninsulas Dr
Missouri City, Tx
77459-4345

Texas High School Coaches Assn.
Petition Signatures

Central South Carpenters 1825 S IH 35

Tex. Assn. of School Principals 1833 S IH 35
Archie McAfee

Texas Board of Professional Engineers
& Land Surveyors 1917 S IH 35

PETITION AGAINST REZONING SIGNATURE PAGE 2
Zoning Case Number C14-2020-0075 (1829 S IH 35)

Andrew Harris Brown 1629 Woodland Ave

Pilar Westbrook 1631 Woodland Ave

2603 Peninsulas Dr
Missouri City, Tx
77459-4345

John Melody 1631 Woodland Ave

2603 Peninsulas Dr
Missouri City, Tx
77459-4345

Texas High School 1627 Woodland Ave
Coaches Assn

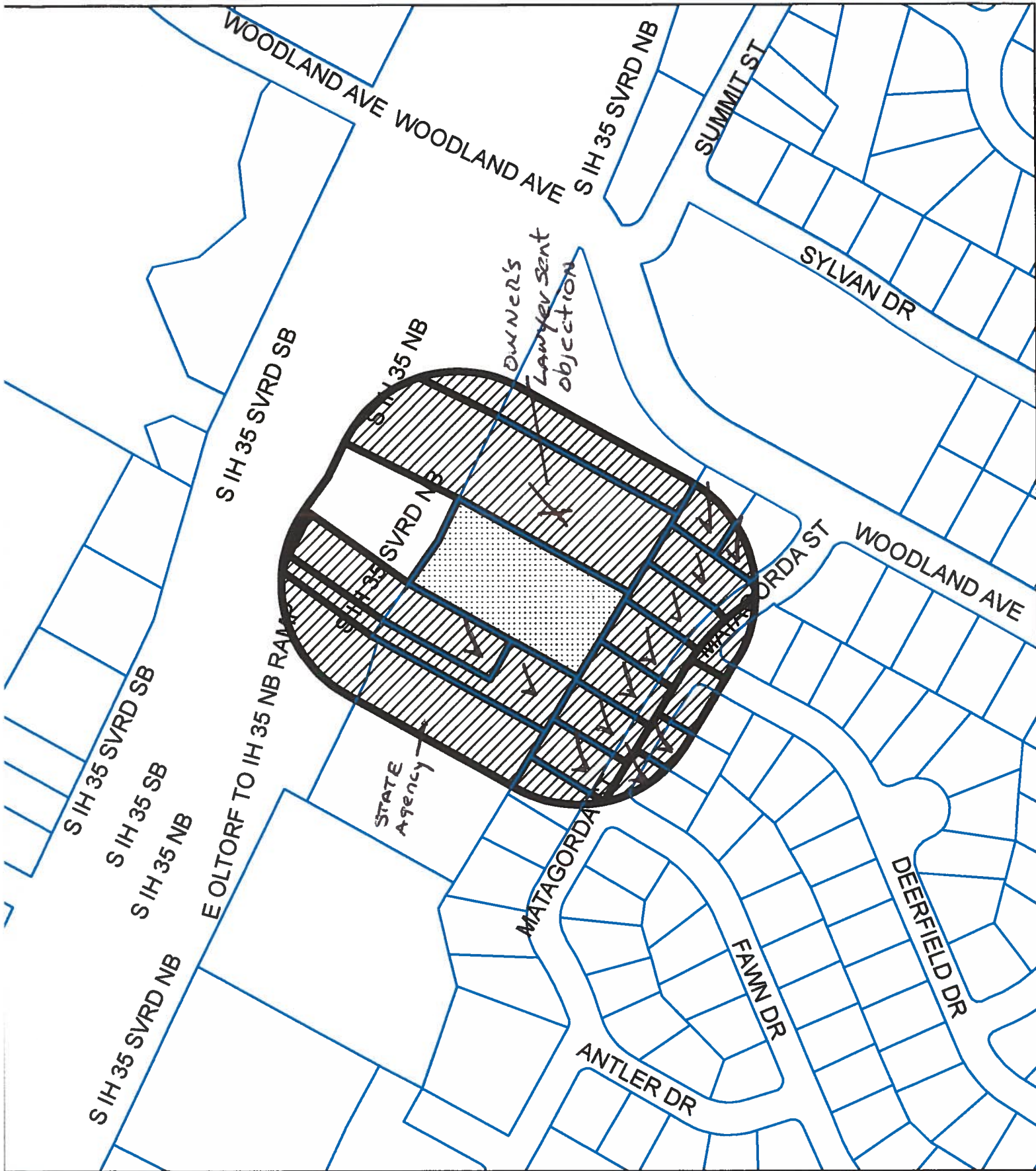
Central South 1825 S IH 35
Carpenters




Tex. Assn. of School 1833 S IH 35
Principals

Archie McAfee



Texas Board of 1917 S IH 35
Professional Engineers
& Land Surveyors



-  BUFFER
-  PROPERTY_OWNER
-  SUBJECT_TRACT

PETITION

Case#: C14-2020-0075

✓ opposition
signatures



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 200'

Proposed Project



ATTACHMENT 1

Woodland on IH35 – NPA-2020-0021.01

City of Austin – Neighborhood Plan Amendment Meeting – September 15, 2020

Thruway Design
LAND PLANNING

ATTACHMENT 2

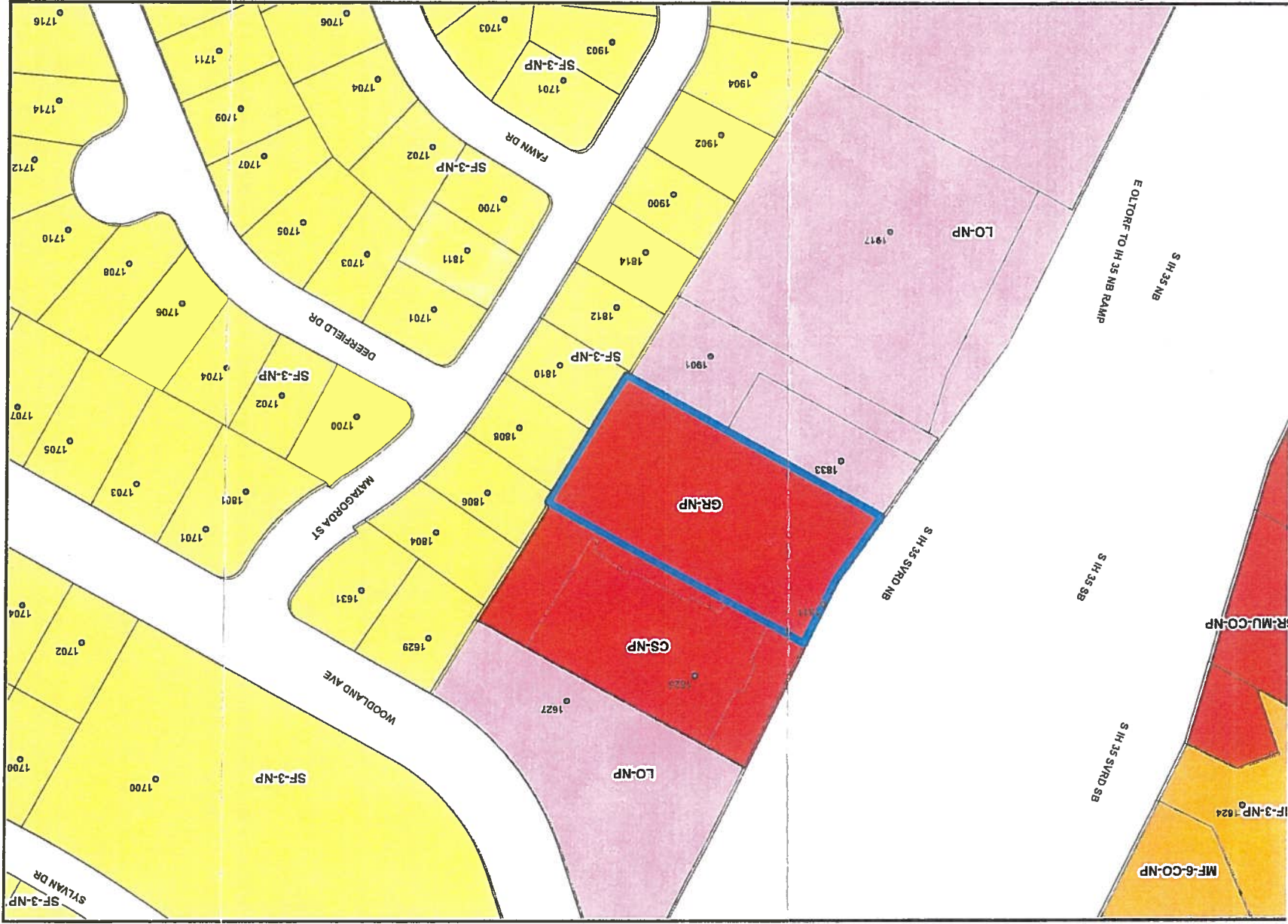
All Buildings on IH 35 South and North which are eight (8) stories or higher

(Excludes Central Business District (CBD) and Adjacent buildings)

1. Southfield Office Building	4000 S IH 35 (78704)	Nine (9) stories
2. Omni Austin Hotel at Southpark	4140 Governors Row (78744)	Twelve (12) stories
3. Southpark One Office Bldg.	1701 Directors Blvd. (78744)	Ten (10) stories
4. Riverview Apartments	1300 E Riverside	Nine (9) stories
5. University Park Office Bldg.	3305 Kim Lane	Eight (8) stories
6. Courtyard Marriot	N IH 35 & 290 E	Twelve (12) stories

Woodland on IH35 NPA & Rezoning - 1829 S IH 35

ATTACHMENT 3



- Address Points
- ▭ Subject Tract - 1829 S IH35
- ▭ Agricultural
- ▭ Commercial
- ▭ Development Reserve
- ▭ Public
- ▭ Mobile Home
- ▭ Single Family
- ▭ Higher Density Single Family
- ▭ Multi-Family
- ▭ Limited Commercial
- ▭ Office
- ▭ Planned Unit Development

0 25 50 100 Feet



Thruway Design
LAND PLANNERS

ATTACHMENT 4

All Commercial Buildings in Immediate area of 1829 S IH35 by stories

Buildings from Oltorf Street to East Riverside (East & West Side)

Buildings from 1829 S IH 35 South (East Side) to Oltorf Street

- | | |
|-----------------|---|
| 1. 1825 S IH 35 | One (1) Story Immediately adjacent to 1829 S IH 35 North Side |
| 2. 1833 S IH 35 | One (1) Story Immediately adjacent to 1829 S IH 35 South Side |
| 3. 1917 S IH 35 | Two (2) Stories |
| 4. 1947 S IH 35 | Three (3) Stories |
| 5. 1949 S IH 35 | Three (3) Stories |
| 6. 2101 S IH 35 | Four (4) Stories |
| 7. 2121 S IH 35 | Four (4) Stories |
| 8. 2211 S IH 35 | Four (4) Stories |

Buildings from 1829 S IH 35 (East Side) to East Riverside

- | | |
|----------------------|--|
| 9. 1627 Woodland Ave | Three (3) Stories |
| 10. 1601 S IH 35 | Two (2) Stories |
| 11. 1513 S IH 35 | Two (2) Stories |
| 12. 1511 S IH 35 | Two (2) Stories |
| 13. 1507 S IH 35 | Two (2) Stories |
| 14. 1503 Sunnyvale | Two (2) Stories |
| 15. 1301 S IH 35 | Three (3) Stories |
| 16. 1300 E Riverside | Nine (9) Stories Located on Lady Bird Lake |

Buildings on S IH 35 (West Side) East Riverside to Oltorf Street

- | | |
|------------------|--|
| 17. 1100 S IH 35 | One (1) Story |
| 18. 1124 S IH 35 | Three (3) Stories |
| 19. 1524 S IH 35 | Three (3) Stories |
| 20. 1620 S IH 35 | Three (3) Stories |
| 21. 1800 S IH 35 | Five (5) & Six (6) Stories Located at Woodland Ave S IH 35 West Side |
| 22. 1902 S IH 35 | Two (2) Stories |
| 23. 1920 S IH 35 | Two (2) Stories |
| 24. 1946 S IH 35 | Four (4) Stories |
| 25. 1950 S IH 35 | One (1) Story |
| 26. 2000 S IH 35 | One (1) Story |
| 27. 2200 S IH 35 | Three (3) Stories |



ATTACHMENT 5

Woodlands on IH35 Properties, LLC

12639 S Hausman Rd, #5102, San Antonio, TX 78249

To Whom so ever may concern

As owner of the property at 1829 S IH-35, subject to zoning case C14-2020-0075, we amend our request to include a conditional overlay that requires a 25ft vegetative buffer along the eastern property line. The City of Austin's requirement for compatibility screening will be met through dense vegetation instead of a privacy fence at the shared property line. We commit to maintaining the existing vegetation with exception of what is necessary to remove for utility infrastructure upgrades required by the city. In that case, disturbed vegetation will be replaced.



Reddy Yeluru

Manager

Woodlands on IH35 Properties, LLC,

A Texas Limited Liability Company